

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARRY PILITSIS,

Plaintiff,

v.

EBER-METRO, LLC f/k/a EBER-NDC, LLC
LESTER EBER, and JAMES TARRANT,

Defendants.

RULE 7.1 STATEMENT
Case No. 07 Civ. 8143 (HB)

Defendant, Eber-Metro, LLC f/k/a Eber-NDC, LLC (“Eber”), by its attorneys Harris Beach PLLC, for its statement pursuant to Federal Rule of Civil Procedure 7.1, states as follows:

Eber is 100% owned by Eber Bros. Wine & Liquor Metro, Inc. Eber Bros. Wine & Liquor Metro, Inc. is not publicly held.

Dated: November 20, 2007
Pittsford, New York

HARRIS BEACH PLLC

By: s/ Daniel J. Moore
Daniel J. Moore
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CERTIFICATE OF SERVICE

DANIEL J. MOORE, one of the attorneys for the defendants, EBER-METRO, LLC f/k/a EBER-NDC, LLC and LESTER EBER, hereby certify that on November 21, 2007, I electronically filed the foregoing RULE 7.1 STATEMENT with the clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

1. Walker Harman, Jr., Esq.
1350 Broadway, Suite 1510
New York, NY 10018

And I hereby certify that I have sent by regular mail the foregoing, by the United States Postal Service, to the following non-CM/ECF participants.

1. N/A

s/ Daniel J. Moore
DANIEL J. MOORE